

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q81712

Hiroo TAKIZAWA

Allowed: April 27, 2009

Appln. No.: 10/849,519

Group Art Unit: 1795

Confirmation No.: 7137

Examiner: Martin J. Angebranndt

Filed: May 20, 2004

For: TWO-PHOTON ABSORBING POLYMERIZATION METHOD, TWO-PHOTON
ABSORBING OPTICAL RECORDING MATERIAL AND TWO-PHOTON
ABSORBING OPTICAL RECORDING METHOD

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being remitted, and a Statement Under 37 C.F.R. § 1.97(e) is being submitted.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Japanese Office Action issued from the Japan Patent Office on June 10, 2009 in a counterpart Japanese application citing such document, together with an English-language translation of the Office Action indicating the degree of relevance found by the JPO.

Applicant encloses herewith a copy of JP 2003-027040 along with its corresponding U.S. Application Publication, US 2003/0052311.

Further, an English language abstract of JP 2003-027040 is being submitted.

Applicant notes that JP 2003-027040 was listed in the Japanese Office Action issued on March 18, 2009 which was previously submitted in an Information Disclosure Statement filed on April 28, 2009. However, JP 2003-027040 was described merely as "Record of the result of prior art search" and was not used as a reference for rejecting the invention in the Japanese Office Action issued March 18, 2009. In the presently submitted Japanese Office Action, JP 2003-027040 was cited as a reference for rejection.

Applicant further notes that the previously submitted Japanese Office Action was incorrectly identified as being issued on March 13, 2009 in the IDS transmittal letter of April 28, 2009, which date should have been March 18, 2009. A copy of the previously submitted Japanese Office Action is being submitted for clarification. Thus, the accompanying Rule 1.97(e) Statement is timely since this IDS is being filed on June 18, 2009.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

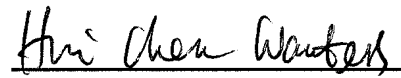
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65565

CUSTOMER NUMBER

Date: June 18, 2009



Hui C. Wauters
Registration No. 57,426

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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